

SOUTHERN DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
POST OFFICE BOX 61010
HOUSTON, TEXAS 77208

United States Courts
District of Texas
Southern
FILED

KM

SEP 22 2004

Michael N. Mabry, Clerk

B96cv177



Robert Barnes Summers
409 Sheffield Ave
Box 398
Llano TX 78643

RTS

UNDELIVERABLE

United States District Court
Southern District of Texas

SEP 22 2004

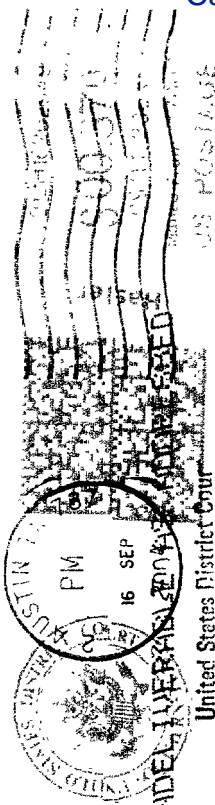
Michael N. Mabry, Clerk

SUM409

786433007 IN
RETURN TO SENDER 26 SEP 2004

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

Handwritten signature/initials.



US POSTAGE

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

MICHAEL N. MILBY
CLERK OF COURT
P.O. Box 61010
HOUSTON, TEXAS 77208

www.tx.uscourts.gov



Robert Barnes Summers
409 Sheffield Ave
Box 398
Llano TX 78643

Case: 1:96-cv-00177 Instrument: 338 (4 pages)
Date: Sep 13, 2004
Control: 040911162
FAX number: 325-248-0110 fax (5 Total pages including cover sheet)
Notice: The attached order has been entered.

If we are unable to successfully send this fax, we will print this notice and mail it to you. We will continue to attempt to fax all subsequent notices. For questions, please call (713) 250-5768.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas
ENTERED

SEP 13 2004

Michael N. Milby, Clerk of Court
By Deputy Clerk D. Chumad

RAQUEL O. RODRIGUEZ, as legal guardian
of JOSE L. RODRIGUEZ,

Plaintiff,

vs.

RIDDELL, INC.; and ALL AMERICAN
SPORTS CORPORATION, d/b/a
RIDDELL/ALL AMERICAN,

Defendants.

No. B-96-cv-177

FILED UNDER SEAL

AGREED ORDER OF DISMISSAL

The Plaintiff, Raquel O. Rodriguez, as legal guardian of Jose L. Rodriguez, and the intervenor, National Accident Insurance Underwriters, by and through their attorneys of record having informed the Court that this matter has been compromised and settled, and the Plaintiff having prayed that the cause be dismissed with prejudice as to the Intervener, National Accident Insurance Underwriters. Intervener, National Accident Insurance Underwriters has met all of the provisions and terms of the settlement agreement and has no further obligations to Jose Rodriguez under the insurance policy in question. Plaintiff has met all the provisions and terms of the settlement agreement and has no further obligations to Intervener, National Accident Insurance Underwriters, under the insurance policy in question. As no further potential causes of action or claims herein exist against Intervener, National Accident Insurance Underwriters and as no further potential causes of action or claims herein exist against Plaintiffs, and the Plaintiff and Intervener agreeing thereto, and it appearing to the Court that the dismissal with prejudice should be made as prayed.


IT IS THEREFORE, ORDERED ADJUDGED and DECREED;

1. That all claims against Intervener, National Accident Insurance Underwriters brought by Plaintiffs be dismissed with prejudice; and
2. That all subrogation claims against Plaintiffs brought by Intervener, National Accident Insurance Underwriters, be dismissed with prejudice.

It is further ORDERED ADJUDGED and DECREED that this Court will continue to retain jurisdiction for purposes of resolving any disputes that might arise relating to Rodriguez v. Riddell, Inc., et al No. B-96-CV-177.

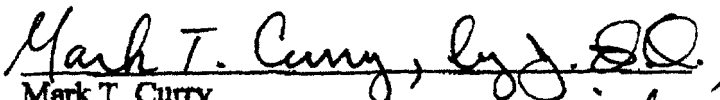
Each party is to abide its own costs. All relief not expressly granted herein is denied.

SIGNED this 13th day of Sept, 2004.


JUDGE PRESIDING

APPROVED:

MARK T. CURRY & ASSOCIATES


Mark T. Curry, Esq., *with permission*
State Bar No. 05272580
510 Bering Drive, Suite 300
Houston, Texas 77057
Telephone: (713) 789-4900
Facsimile: (713) 789-4922

ATTORNEYS FOR INTERVENER NATIONAL
ACCIDENT INSURANCE UNDERWRITERS

IT IS THEREFORE, ORDERED ADJUDGED and DECREED;

1. That all claims against Intervenor, National Accident Insurance Underwriters brought by Plaintiffs be dismissed with prejudice; and
2. That all subrogation claims against Plaintiffs brought by Intervenor, National Accident Insurance Underwriters, be dismissed with prejudice.

It is further ORDERED ADJUDGED and DECREED that this Court will continue to retain jurisdiction for purposes of resolving any disputes that might arise relating to Rodriguez v. Riddell, Inc., et al No. B-96-CV-177.

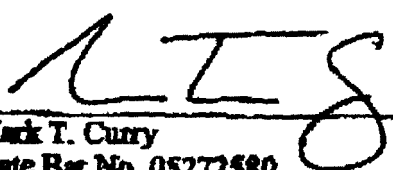
Each party is to abide its own costs. All relief not expressly granted herein is denied.

SIGNED this ____ day of _____, 2004.

JUDGE PRESIDING

APPROVED:

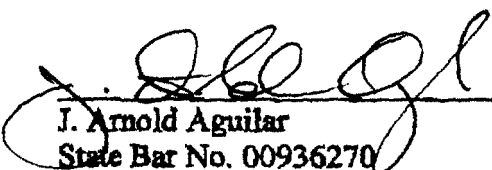
MARK T. CURRY & ASSOCIATES



Mark T. Curry
State Bar No. 05272580
510 Bering Drive, Suite 300
Houston, Texas 77057
Telephone: (713) 789-4900
Facsimile: (713) 789-4922

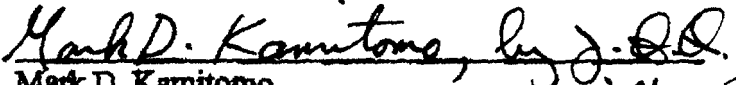
ATTORNEYS FOR INTERVENOR NATIONAL
ACCIDENT INSURANCE UNDERWRITERS

LAW OFFICES OF J. ARNOLD AGUILAR


J. Arnold Aguilar
State Bar No. 00936270
Artemis Square, Suite H-2
1200 Central Blvd.
Brownsville, Texas 78520
Telephone: (956) 504-1100
Facsimile: (956) 504-1408

ATTORNEY FOR PLAINTIFF
RAQUEL O. RODRIGUEZ, as legal guardian
of JOSE L. RODRIGUEZ

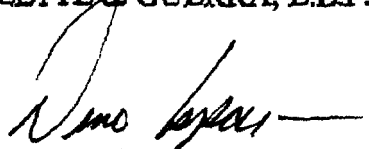
THE MARKAM GROUP, INC., P.S.


Mark D. Kamitomo
Washington State Bar No. 18803
421 W. Riverside, Suite 1060
Spokane, Washington 99201
Telephone: (509) 747-0902
Facsimile: (509) 747-1993

with permission

ATTORNEYS FOR PLAINTIFF
RAQUEL O. RODRIGUEZ, as legal guardian
of JOSE L. RODRIGUEZ

WILLETTE & GUERRA, L.L.P.


Roman D. Esparza
State Bar No. 00795337
1534 East 6th Street, Suite 200
Brownsville, Texas 78520
Telephone: (956) 541-1846
Facsimile: (956) 541 1893

ATTORNEY AD LITEM
for Jose L. Rodriguez